



UNITED STATES
PATENT AND
TRADEMARK OFFICE

#9

SEP 14 2003

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

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In re application of :
Ragupathy Madiyalakan et al. :
Serial No. : 09/871,339 :
Filed : May 31, 2001 : **WITHDRAWAL OF ABANDONMENT**
Attorney Docket No. : AREX-P02-005 :

This is in response to applicants' petition under 37 CFR 1.181, filed May 29, 2003, requesting withdrawal of the holding of abandonment based on the timely filing of a response to the Office communication mailed August 6, 2002.

A review of the file history shows that the examiner mailed an Office action (restriction requirement) to applicant on May 21, 2002. Applicants responded on June 27, 2002. On August 6, 2002 the examiner mailed a letter advising applicants that the response was incomplete and requiring a more detailed election. On April 22, 2003 the examiner mailed a Notice of Abandonment indicating that no reply to the letter of August 6, 2002 had been received.

Applicants state that a response, including a more detailed election and a petition for a 4 month extension of time, was filed on September 12, 2002, as evidenced by the properly executed Certificate of Mailing on the reply. Applicants provide a copy of the submitted reply with the petition, and also a declaration by Susan Mulvaney attesting to the fact that the response was mailed on September 12, 2002. In view of this evidence, applicants are considered to have submitted a timely reply.

Applicants' petition is **GRANTED**. The application is restored to pending status with the mailing of this decision and will be forwarded to the examiner for consideration of the elected invention on the merits.

Should there be any questions with regard to this letter please contact Bruce Campell by letter addressed to the Director, Technology Center 1600, Washington, DC 20231, or by telephone at (703) 308-4205 or by facsimile transmission at (703) 746-5006.

Jasemine C. Chambers
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Director, Technology Center 1600